

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 27.11.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.TAMILVANAN

Writ Petition Nos.6309, 6318, 6319, 6329, 7380, 7485 to 7489, 7608
and 8305 of 2001
& WPMP Nos.8906/01, 44286/04, 8915 & 8916/01, 44287 & 44288/04,
8928 & 8929/01 44289/04, 10543/01, 10667 to 10671/01 44290 to
44294/04, and 10824/01

W.P.NO.6309 OF 2001

K.RAJA

.. PETITIONER

VS.

1.THE MANAGING DIRECTOR,
SALEM DISTRICT CENTRAL CO-OPERATIVE
BANK, CHERRY ROAD,
SALEM-636 001.

2.THE ASSISTANT DIRECTOR,
DISTRICT EMPLOYMENT OFFICE,
SALEM-636 007.

3.THE REGISTRAR,
CO-OPERATIVE SOCIETIES,
KILPAUK, CHENNAI-600 020.

4.THE SECRETARY,
FOOD AND CO-OPERATIVES DEPARTMENT,
FORT ST. GEORGE,
CHENNAI-600 009.

.. RESPONDENTS

W.P.NO. 6318 OF 2001 AND 6319 OF 2001

D. IYYANDURAI

.. PETITIONER IN W.P.6318/01

S. SELLAPPAN

.. PETITIONER IN W.P.6319/01

VS

1. THE MANAGING DIRECTOR,
SALEM DISTRICT CENTRAL CO-OP BANK
CHERRY ROAD,
SALEM -636 001.

2. ASST DIRECTOR DISTRICT EMPLOYMENT
OFFICE, SALEM 636 007

3. THE REGISTRAR,
COOPERATIVE SOCIETIES
KILPUK, CHENANI-10

4. THE SECRETARY,
FOOD AND COOPERATIVE DEPARTMENT,
FORT ST., GEORGE,
CHENANI-9.

... RESPONDENTS IN BOTH THE WPS.

W.P.NO.6329 OF 2001

V. ANBAZHAGAN ... PETITIONER

VS

1. THE ASSISTANT DIRECTOR
DISTRICT EMPLOYMENT OFFICE, SALEM

2. THE DIST. EMPLOYMENT OFFICER
MAHANUR ROAD, NAMAKKAL

3. THE MANAGING DIRECTOR,
SALEM DIST. CENTRAL BANK (CO.OP)
CHERRY ROAD, SALEM - 1

RESPONDENTS

W.P.7380 OF 2001

K.V. SARAVANAN ... PETITIONER

VS

1. SALEM CENTRAL CO-OP BANK LTD
REP BY MANAGING DIRECTOR
CHERRY ROAD, SALEM 636 001

2. THE ASSISTANT DIRECTOR, DISTRICT EMPLOYMENT
OFFICE, SALEM 636 007 ... RESPONDENTS

W.P.NO.7485 TO 7489 OF 2001

1. K. NAGARAJU
2. G. GAYATHRI
3. M. SELVARAJ
4. A. SOUNDARARAJAN
5. P. SHANMUGAM

. PETITIONERS IN ALL WPS

VS

1. THE MANAGING DIRECTOR
SALEM DISTRICT CENTRAL CO-OP BANK,
CHERRY ROAD, SALEM. 636 001.

2. THE ASSISTANT DIRECTOR,
DISTRICT EMPLOYMENT OFFICE,
SALEM- 636 007.

3. THE REGISTRAR,
COOPERATIVE SOCIETIES,
KILPAUK, CHENNAI.

4. THE SECRETARY
FOOD AND CO-OPERATIVES DEPARTMENT,
FORT ST. GEORGE, CHENNAI-9.

... RESPONDENTS IN
ALL SPS.

W.P.7608 AND 8305 OF 2001

M. NALINA

... PETITIONER IN W.P.7608 OF 2001

M. SHANTHI

... PETITIONER IN W.P.8305 / 05

VS

THE MANAGING DIRECTOR
SALEM DISTRICT CENTRAL
COOPERATIVE BANK, SALEM.

... RESPONDENTS IN BOTH THE WPS.

Writ Petition No.6309 of 2001 filed under Article 226 of the
Constitution of India for issuance of a writ of Mandamus to
direct the first respondent herein to appoint the petitioner in the
post of Assistant in the office of the first respondent.

Writ Petitioner 6318 and 6319/01 filed under Art 226 of the Constitution of India for issuance of writ of Mandamus to direct the first respondent to appoint the petitioner in the post of Assistant in the office of the first respondent.

W.P.6329 of 2001:- Writ of Mandamus directing the respondents 1 and 2 to sponsor the petitioner's name as per seniority to the post of Assistant in Salem District Central Cooperative Bank so as to enable the third respondent to allow the petitioner to participate in the interview.

W.P.7380/ 2001:- Writ of Mandamus directing the first respondent to appoint the petitioner to the post of Assistant in first respondent institution by following Cr.O.(MS.) No.57 Co-operation Food and consumer protection Department dated 21.2.2001 under 85% open general competition.

W.P.7485 to 7489 of 2001:- Writ of Mandamus to direct the first respondent to appoint the petitioner in the post of Assistant in the office of the first respondent.

W.P.7608 and 8305 of 2001: Writ of Mandamus to direct the respondent to consider the petitioner for appointing her to the post of Assistant in the respondent Bank as per G.O.(D) No.216 dated 1.9.1998 issued by the Co-operative, Food and Consumer Protection Department.

For Petitioners : Mr. R.Thamaraiselvan
in Wps.6309, 7380,
7485 to 7489/01

For petitioners in : Mr.G.Poonkunran
Wps.6318 & 6319/01

For petitioner in : Mr.C.Prakasam
WP.No.6329/01

For petitioners in : Mr.K.V.Shanmuganathan
Wps.7608 & 8305/01

For 1st respondent : Mr.M.R.Raghavan
in all WPs

For Respondents 2 to 4 : Mr.S.Ramasamy,
in all WPs and 2nd Additional Advocate General-II
respt., in WP.7380/01 assisted by Mrs.Bhavani Subbarayan,GA.

COMMON ORDER

(Order of the Court was delivered by P.SATHASIVAM, J.)

In all these cases, the petitioners have approached this Court to issue a Writ of Mandamus directing the first respondent, viz., Salem District Central Co-operative Bank, Cherry Road, Salem-636 001, to appoint the petitioners in the post of Assistant in their office.

2. Heard the learned counsel appearing for the petitioners as well as the respondents.

3. There cannot be any such mandamus as claimed in the writ petitions. Learned counsel appearing for the petitioners, by drawing our attention to the proceedings of the Salem Central Co-operative Bank in Na.Ka.No.2395/92.Ni.1 dated 03.04.2001, has submitted that the writ petitioners are similar to the persons appointed in the said proceedings and hence, similar direction may be issued to the first respondent for appropriate orders. Here again, we are unable to accept the said contention.

4. In the course of hearing, the learned counsel appearing for the Bank submitted that the Bank has initiated steps for recruiting persons for filling up the vacancies and if the petitioners are eligible in accordance with the Government order, viz., G.O.Ms.No.249 (Co-operation, Food and Consumer Protection (CC1) Department), dated 31.10.2006, they can apply and the same would be considered in accordance with law.

5. In such circumstances, if the petitioners are eligible by virtue of any of the Government orders including G.O.Ms.No.249 (Co-operation, Food and Consumer Protection (CC1) Department), dated 31.10.2006, they are free to apply and their claim shall be considered by the Bank, if they are otherwise eligible.

6. With the above observations, these writ petitions are disposed of. No costs. Consequently, connected W.P.M.Ps are closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

raa

To

1.The Managing Director,
Salem District Central Co-operative
Bank, Cherry Road,
Salem-636 001.

2.The Assistant Director,
District Employment Office,
Salem-636 007.

3.The Registrar,
Co-operative Societies,
Kilpauk, Chennai-600 020.

4.The Secretary,
Food and Co-operatives Department,
Fort St. George,
Chennai-600 009.

5. The District Employment Officer,
Mohanur Road, Namakkal.

2 ccs to Mr.M.R. Raghavan, Advocate, Sr. 58416 & 58414

1 cc to Mr.R. Thamarai Selvan, Advocate, r. 57787

1 cc to Mr.C. Prakasam, Advocate, sr. 57970

2 ccs to Mr.K.v. Shanmuganathan, Advocate, sr. 58314 & 58313

W.P.No.6309 of 2001
etc. batch

JSK (CO)
kk 16/12

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